

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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IN RE:

William A. Speight and Vergie E. Speight,

DEBTORS.

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CASE NO.: 10-72827 dte

Chapter: 7

JUDGE: DOROTHY EISENBERG

**ORDER GRANTING RELIEF
FROM THE AUTOMATIC STAY**

Upon the Application dated June 24, 2010, (the "Application") of US Bank, NA (the "Movant"), by its attorneys, Rosicki, Rosicki & Associates, P.C., seeking an Order: (i) modifying and terminating the automatic stay to permit the Movant to exercise all of its rights and remedies with respect to certain collateral consisting of the real property known as 177 Cone Avenue, Central Islip, NY 11722 (the "Premises"); and (ii) granting Movant such other and further relief as the Court deems just and proper; and

The Application having come to be presented before this Court on August 6, 2010; and no opposition to the relief requested having been filed; and in consideration of the foregoing, and upon the Affidavit of service filed with the Court, and after due deliberation, the relief requested appearing reasonable, proper and warranted in fact and by law under Section 362(d) of the Code to permit Movant to exercise all of its rights and remedies under applicable law with respect to the Premises, it is hereby

ORDERED that the Application of Movant is granted modifying the automatic stay to allow Movant, its successors and/or assigns, to proceed with a foreclosure action and eviction proceeding with respect to the Premises; and it is further

ORDERED, that the Trustee shall retain any and all interest the Debtor's estate may have in any surplus funds, if any, as result of the foreclosure sale.

Dated: *August 9, 2010*
Central Islip, New York

s/ Dorothy Eisenberg
Hon. Dorothy Eisenberg
United States Bankruptcy Judge